



FOLEY & LARDNER LLP

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FACSIMILE TRANSMISSION

Total number of pages, including this page: 6

TO:	PHONE #:	FAX #:
Examiner Juliet C. Switzer Group Art Unit 1634 U.S. Patent and Trademark Office	571-272-0753	571-273-8300

From : Richard J. Warburg

Email Address : rwarburg@foley.com

Sender's Direct Dial : 858.847.6767

Date : December 7, 2006

Client/Matter No : 048331-1707

Re: Application No. 10/813,693

Attached is the following for submission in the subject application:

1. Request for Continued Examination (RCE) Transmittal (4 pages); and
2. Credit Card Payment Form (1 page).

If there are any problems with this transmission or if you have not received all of the pages,
please call 858.847.6700.

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Cover Page 1 of 1

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Atty. Dkt. No. 048331-1707

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tabor, et al.
Title: ISOTHERMAL
AMPLIFICATION OF DNA
Appl. No.: 10/813,693
Appl. Filing Date: 10/7/2003
Examiner: J. Switzer
Art Unit: 1634
Confirmation No.: 4141

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. _____ <i>Rachel Caputo</i> (Printed Name) _____ <i>Rachel Caputo</i> (Signature) _____ December 7, 2006 (Date of Deposit)
--

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)

a. Previously submitted:

-1-

DLMR_292818.1

12/08/2006 FNETK11 00000077 500872 10813693

01 FC:2801 395.00 DA
02 FC:2252 165.00 DA

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Atty. Dkt. No. 048331-1707

DEC 07 2006

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	49	- 123	= 0	x \$50.00	= \$0.00
Independents	8	- 14	= 0	x \$200.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$360.00	= \$0.00
CLAIMS FEE TOTAL:					= \$790.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$120.00	0	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the second month:	\$450.00		\$450.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$450.00
EXTENSION FEE ALREADY PAID:				- \$120.00
EXTENSION FEE TOTAL				\$330.00
CLAIMS AND EXTENSION FEE TOTAL:				\$1120.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$560.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$560.00

A credit card payment form in the amount of \$560.00 to cover the filing fee is enclosed.

Atty. Dkt. No. 048331-1707

- ☒ Please enter and consider the amendment and/or reply previously filed on November 14, 2006.
- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ___ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply previously filed on ___.
- ☐ Other ___.
- b. Enclosed are:
- ☐ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☐ Information Disclosure Statement.
- ☐ Form PTO/SB/08 with copies of ___ listed reference(s).
- ☐ Other .

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months.

Atty. Dkt. No. 048331-1707

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date : December 7, 2006

FOLEY & LARDNER LLP

Customer Number 30542

Telephone: 858-847-6767

Facsimile: 858-792-6773

By 

Richard Warburg

Attorney for Applicant

Registration No. 32,327